REMARKS

The Office Action dated April 17, 2008 has been fully considered by the Applicant.

Enclosed is a Petition for Two-Month Extension of Time and a Request for Continued Examination Application. Also, enclosed is a check to cover the government fees.

Independent claims 1, 7 and 14 have been currently amended to clearly convey the invention and no new matter has been added. Claims 2-6, 8-13, and 15-16 have been previously presented.

In response to point 1 on Page 2 of the Office Action, the Examiner indicates that the power level of the broadcast data signal is determined by averaging levels of the superimposed Nyquist tone signals, with reference to Figure 6b, and therefore does not require knowledge of a training slope. However, Applicant would like to point out that in performing the averaging function, the device is making use of a training slope, as depicted in the aforementioned Figure, as graphically an average is the value half-way between two values connected by a straight line, i.e., the slope.

While the Examiner asserts that the circuitry allows the overall power level of the broadcast data signal to be determined without the slope by comparison to a reference signal, it would be impossible to correct amplitude variations with frequency without the slope according to the teachings of Kaku (Co. 16, lines 13-23), as an overall power level does not indicate how the amplitudes at different frequencies need to be adjusted. However, Applicant's independent claims 1, 7, and 14 have been amended so that the method of invention operates in the absence of any knowledge relating to the superimposed tone signals, as taught by Kaku.

In response to point 2 beginning on Page 3 of the Office Action, while the output signal from the roll off filter may be presented to both the signal processing unit and the line equalization control unit, each unit only uses the appropriate portions of the signal depending on the unit function. Thus,

as the Examiner indicates, the signal processing unit recovers the audio/video broadcast signal and does not use the superimposed tones, whereas the line equalization control unit uses the superimposed tones but not the portion of the signal used to generate audio/video. Applicant would like to point out that the data transmission signal as claimed is a portion of the broadcast data signal (i.e. the audio/video part), and is not synonymous with the broadcast data signals as implied by Examiner Wang. The independent claims have been amended to clarify the same accordingly.

With respect to point 3 beginning on Page 5 of the Office Action, independent claim 7 has been amended to include features mentioned in Applicant's arguments under point 3.

Claims 1-3, 5-9, 11, 14 and 15 have been rejected under 35 USC 102(b) as being anticipated by European Patent Application No. 0798875 to Kaku et al. Applicant respectfully requests reconsideration of the rejection.

Applicant's currently amended claim 1 provides for a method of installation of a broadcast data receiver to receive broadcast data for use to generate audio and/or video at each receiver broadcast continuously to a plurality of locations including the location of the receiver, the method including the steps of measuring the power level of the broadcast data signals at two predetermined spaced points on the signal band being transmitted from a broadcaster by measuring the content of automatic gain control converters relating to said broadcast data signal within the receiver and providing an amplitude correction filter which can be selectively operated on the broadcast data signal to allow the correction of amplitude variations with the frequency. The selective operation of the filter is dependent upon and responsive to the power level measurements obtained from the signal that is transmitted from the broadcaster without having knowledge of a training signal cable slope or tone signals superimposed on the broadcast data signal. The portion of the broadcast data signal

used for the measurement is the data transmission signal that is used to generate the audio and/or video at the receiver locations for display to the user at the receiver location for the purpose of viewing the display. Applicant believes currently amended claim 1 is novel over the Kaku et al patent and, therefore, respectfully requests reconsideration of the rejection.

Applicant respectfully believes that the current invention distinguishes over the '875 Kaku et al patent and therefore requests reconsideration of the rejection.

Independent claim 7 has been currently amended to further clarify that the linearization circuit having a switched equalizer can be selectively activated to operate with a receive control system upon comparison of measurements of the power levels at two predetermined points on the signal transmitted from the broadcaster passed to the radio frequency input without having knowledge of a network cable slope or tone signals superimposed on the broadcast data signal. If the comparison reveals a difference which is greater than a predetermined level, the switched equalizer is activated to adjust the receiver settings to ensure the difference is less than said predetermined level, during an installation procedure for the broadcast data receiver at a location at which the receiver is to be subsequently used. The portion of the broadcast data signal used for the measurements is the data transmission signal used to generate the audio and/or video at the receiver locations for display at the receiver location for the purpose of viewing the display.

Applicant believes that currently amended claim 7, along with dependent claims 8-13, is novel over the '875 Kaku et al patent and, therefore, respectfully request reconsideration of the rejection.

Currently amended Claim 14 provides a method of installation of a receiver by a user to receive digital data for use to generate audio and/or video at each receiver continuously broadcast

to a plurality of locations including the location of the receiver. The method comprises the steps of measuring the power level of incoming frequency signals relating to the digital data at two predetermined spaced points on the signal band and providing means for the comparison of the measurements without having knowledge of a training signal cable slope or tone signals superimposed on the broadcast data signal. If the comparison shows a value within a predetermined parameter, an indication is provided to the user. And, if the comparison shows a value out with the predetermined parameter, a control system in the receiver adjusts the operation of one or a combination of components within the receiver until the value is within the predetermined parameter. The data transmission signal from which the audio and/or video is generated at the receiver locations for display to the user at the receiver location for the purpose of viewing the display is also used for the measurements.

Applicant believes that currently claim 14, along with dependent claims 15 and 16, is novel over the '875 Kaku et al patent for the above reasons.

Claims 12, 13 and 16 have been rejected under 35 USC 103(a) as being unpatentable over European Patent No. EP0798875 to Kaku et al in view of United States Patent No. 5,991,339 to Bazes. Claims 12 and 13 depend on currently amended independent claim 7 and are believed novel over the references as cited herein. Claim 16 depends upon independent claim 14 and is believed to be novel over the cited references as stated herein with reference to claim 14.

Claim 4 has been rejected under 35 USC 103(a) as being unpatentable over European Patent No. 0798875 to Kaku et al in view of United States Patent No. 6,542,540 to Leung et al. Claim 4 is dependent upon currently amended independent claim 1. Applicant believes that currently amended claim 1 is novel over the cited references as herein stated and, therefore, it is believed that claim 4 is also novel for the same reasons.

Claim 10 has been rejected under 35 USC 103(a) as being unpatentable over European Patent No. 0798875 to Kaku et al in view of United States Patent No. 6,167,081 to Porter et al. Claim 10 depends upon currently amended independent claim 1. Applicant believes that claim 10 is novel over the cited references as stated above.

It is believed that the application is now in condition for allowance and such action is earnestly solicited. If any further issues remain, a telephone conference with the Examiner is requested. If any further fees are associated with this action, please charge Deposit Account No. 08-1500.

Respectfully Submitted

HEAD, JOHNSON & KACHIGIAN

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BY: _____

Mark G. Kachigian, Reg. No. 32,840
228 West 17th Place
Tulsa, Oklahoma 74119
(918) 587-2000
Attorneys for Applicant